## REMARKS

Claims 1-24 are pending in the application.

## Allowability of Claims 7, 8, 15, 16, 23 and 24

The Applicants thank the Examiner for the indicating that claims 7, 8, 15, 16, 23 and 24 are allowed.

## 35 USC 112 Second Paragraph Rejection of Claims 2, 5, 10, 13, 18 and 21

The Office Action rejected claims 2, 5, 10, 13, 18 and 21 as allegedly failing to comply with 35 USC 112, second paragraph. In particular, the Office Action alleged that "said calibration value" lacks antecedent basis (See Office Action, page 2).

Claims 2, 10, 18 and 21 are amended herein to correct any antecedent problems. However, claims 5 and 13 are not amended herein because being dependent on claims 2 and 10 and therefore do not have antecedent problems. The Applicants respectfully request that the rejection of claims 2, 5, 10, 13, 18 and 21 under 35 USC 112, second paragraph be withdrawn.

## Claims 1, 2, 4, 6, 9, 10, 12, 14, 17, 18, 20 and 22 over Sweitzer

In the Office Action, claims 1, 2, 4, 6, 9, 10, 12, 14, 17, 18, 20 and 22 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,570,915 to Sweitzer et al. ("Sweitzer"). The Applicants respectfully traverse the rejection.

Claims 1, 2, 4, 6, 9, 10, 12, 14, 17, 18, 20 and 22 recite a system and method of optimizing a transfer of data between nodes on a local area network wherein each of the nodes on the local area network have the ability to communicate with one another with optimized individualized calibration values for their respective node transceivers.

Sweitzer appears to disclose a DSL communication system comprising a DSL transmission unit at a central office (DTU-C) and a DSL

transmission unit at a remote location (DTU-R) in communication over a communication link (see Abstract). After synchronization, DTU-C and/or DTU-R measure the line quality at a first data rate, the line quality measured based on bit-error-rate, attenuation level and/or signal-noise ratio (see Abstract).

Thus, Sweitzer's invention is directed toward optimizing transmission characteristics between a DSL central office and a DSL remote location, i.e., optimizing transmission characteristics within a wide area network. Sweitzer's invention is unrelated to optimizing characteristics with a local area network, as recited by claims 1, 2, 4, 6, 9, 10, 12, 14, 17, 18, 20 and 22.

Moreover, Sweitzer's invention is directed toward optimizing transmission characteristics between two entities on a wide area network, i.e., a DSL central office and a DSL remote location. Sweitzer's invention is unrelated to optimizing transmission characteristics between a plurality of nodes on a local area network, i.e., wherein each of nodes on a local area network have the ability to communicate with one another with optimized individualized calibration values for their respective node transceivers, as recited by claims 1, 2, 4, 6, 9, 10, 12, 14, 17, 18, 20 and 22.

Accordingly, for at least all the above reasons, claims 1, 2, 4, 6, 9, 10, 12, 14, 17, 18, 20 and 22 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

## Claims 1, 3, 4, 6, 9, 11, 12, 14, 17, 19, 20 and 22 over Schober in view of Ang

In the Office Action, claims 1, 3, 4, 6, 9, 11, 12, 14, 17, 19, 20 and 22 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 6,493,320 to Schober et al. ("Schober") in view of U.S. Patent No. 6,424,630 to Ang ("Ang"). The Applicants respectfully traverse the rejection.

Claims 1, 3, 4, 6, 9, 11, 12, 14, 17, 19, 20 and 22 recite a system and method of optimizing a transfer of data between nodes on a local area network wherein each of the nodes on the local area network have the ability to communicate with one another with optimized individualized calibration values for their respective node transceivers based on at least one of available criteria

comprising a noise measurement value, a propagation delay value and a bit rate error value.

Schober at col. 2, lines 43-45 discloses "the following parameters are among the parameters that may be adjusted in a link". Thus, "speed of a signal" is a parameter that is adjusted by Schober not a criteria that an adjustment is based on.

Schober at col. 2, lines 57-59 discloses parameters that are adjusted, i.e., discloses "the relative delay between individual data lines in the link, in order to reduce skew between parallel data bits that arrive on each end of the link". Thus, relative delay is a parameter that is adjusted by Schober to compensate for skew.

As Applicants previously pointed out, Schober at col. 2, lines 66-67 discloses what criteria is used to base any adjustments on, i.e., "stimuli measurement methods ... comparing the timing of the signal transitions with known reference timing signals". Thus, Schober discloses timing of signal transitions that are compared with known reference timing signals as a basis to determine appropriate parameter settings for a link. However, timing of signal transitions does not equate to any of a noise measurement value, a propagation delay value and a bit rate error value, as recited by claims 1, 3, 4, 6, 9, 11, 12, 14, 17, 19, 20 and 22.

The Examiner acknowledged that Schober fails to disclose adjustment of a node transceiver being based on a noise measurement value (see Office Action, page 5). However, the reason Schober fails to disclose adjustment of a node transceiver being based on a noise measurement value is that Schober's invention is completely unrelated to the type of optimization that Applicant's claims are directed toward, i.e., based on at least one of available criteria comprising a noise measurement value, a propagation delay value and a bit rate error value, as recited by claims 1, 3, 4, 6, 9, 11, 12, 14, 17, 19, 20 and 22.

The Examiner relied on Ang to allegedly make up for the deficiencies in Schober to arrive at the claimed features. The Applicants respectfully disagree.

Ang's invention is directed toward compensating for signal distortion within a telephone wire network (see col. 4, lines 29-45). An adaptive physical layer transceiver architecture adaptively adjusts the signal processing circuitry on a receive side and a transmit side to optimize accurate recovery data from the transmitted network signals (see col. 4, lines 46-50). A common mode voltage used to drive an input amplifier within a receiver is adjusted to compensate for signal distortion (see col. 5, lines 1-55).

Thus, Ang's invention is receiver/transmitter centric, i.e., adjusting a receiver's/transmitter's characteristics to compensate for signal distortion within the receiver/transmitter. Ang's invention is unrelated to optimizing the transfer of data between nodes. Ang fails to disclose or suggest a system and method of optimizing a transfer of data between a nodes on a local area network wherein each of the nodes on the local area network have the ability to communicate with one another with optimized individualized calibration values for their respective node transceivers based on at least one of available criteria comprising a noise measurement value, a propagation delay value and a bit rate error value, as recited by claims 1, 3, 4, 6, 9, 11, 12, 14, 17, 19, 20 and 22.

Thus Schober in view of Ang fails to disclose or suggest a system and method of optimizing a transfer of data between a nodes on a local area network wherein each of the nodes on the local area network have the ability to communicate with one another with optimized individualized calibration values for their respective node transceivers based on at least one of available criteria comprising a noise measurement value, a propagation delay value and a bit rate error value, as recited by claims 1, 3, 4, 6, 9, 11, 12, 14, 17, 19, 20 and 22.

Accordingly, for at least all the above reasons, claims 1, 3, 4, 6, 9, 11, 12, 14, 17, 19, 20 and 22 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

## Claims 2, 5, 10, 13, 18 and 21 over Schober in view of Ang and KOSA

In the Office Action, claims 2, 5, 10, 13, 18 and 21 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Schober in view of Ang, and further in view of Knowledge of one of Ordinary Skill in the Art ("KOSA") at the time of the invention. The Applicants respectfully traverse the rejection.

Claims 2, 5, 10, 13, 18 and 21 are dependent on claims 1, 9 and 17 respectively, and are allowable for at least the same reasons as claims 1, 9 and 17.

Claims 2, 5, 10, 13, 18 and 21 recite a system and method of optimizing a transfer of data between a nodes on a local area network wherein each of the nodes on the local area network have the ability to communicate with one another with optimized individualized calibration values for their respective node transceivers based on at least one of available criteria comprising a noise measurement value, a propagation delay value and a bit rate error value.

As discussed above, Schober in view of Ang fails to disclose or suggest a system and method of optimizing a transfer of data between a nodes on a local area network wherein each of the nodes on the local area network have the ability to communicate with one another with optimized individualized calibration values for their respective node transceivers based on at least one of available criteria comprising a noise measurement value, a propagation delay value and a bit rate error value, as recited by claims 2, 5, 10, 13, 18 and 21.

The Office Action relies on KOSA to allege that a calibration memory was well known in the art at the time of the invention (See Office Action, page 5). Thus, even taking the Office Action's allegation that a calibration memory was well known in the art at the time of the invention (which the Examiner has failed to provide support for), Schober in view of Ang and KOSA would still fail to disclose or suggest a system and method of optimizing a transfer of data between a nodes on a local area network wherein each of the nodes on the local area network have the ability to communicate with one another with optimized individualized calibration values for their respective node transceivers based on at least one of available criteria comprising a noise
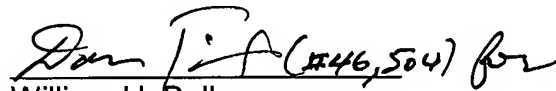
measurement value, a propagation delay value and a bit rate error value, as recited by claims 2, 5, 10, 13, 18 and 21.

Accordingly, for at least all the above reasons, claims 2, 5, 10, 13, 18 and 21 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

## Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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